

3.11 PUBLIC SERVICES

This section of the EIR discusses the public services in the City of Morgan Hill and evaluates the potential impacts to these services with implementation of the proposed project. Potential impacts focus on impacts to police and fire service, parks and recreation, and schools. This analysis is based in part on the *City of Morgan Hill General Plan* and *City of Morgan Hill Planning & Zoning Codes*.

3.11.1 ENVIRONMENTAL SETTING

POLICE

The project site is located within the Urban Service Area and is served by the City of Morgan Hill Police Department (hereinafter "Police Department"). The Police Department provides a variety of public safety services including patrol, traffic safety, crime investigation, community crime prevention, anti-gang enforcement, animal control, and plan-check services. The Police Department currently employs 33 sworn police officers, 20 full-time and five part-time civilian employees, five volunteer police officers, and 11 volunteers. Operations are based out of a new Police Station located at 16200 Vineyard Boulevard, just north of Tennant Avenue. The Police Station opened in June 2004 as a replacement for the overcrowded downtown station.

The patrol division of the Police Department assigns officers to teams working 12 hour shifts. This yields a differential patrol deployment system with a minimum of a supervisor and three officers. In 2004 the Department responded to 30,198 calls for service (17,102 dispatched and 13,096 self-initiated) with 31 sworn officers, for an average of about 1,000 calls per sworn officer per year, or a total of 83 calls per day. The existing officer-to-population ratio is approximately 0.85 officers for every 1,000 residents (assuming a 2005 population of 36,423 as estimated by the State of California, Department of Finance). However, the City of Morgan Hill maintains acceptable response times, comparable to communities with higher officer-to-population ratios. Average response times are five minutes for 'priority 1' calls (reports of a crime in progress or where an injury has occurred), nineteen minutes for 'priority 2' calls (reports on felonies and other major calls), and 27 minutes for 'priority 3' calls (all other responses). Incremental costs associated with new development are captured in part by development impact fees imposed on all new development by the City of Morgan Hill. These fees include funds for law enforcement facilities, equipment and training.

FIRE

Fire protection and suppression, emergency medical response, and fire plan-check services are provided by the Santa Clara County Fire Department (hereinafter "Fire Department") under contract to the City of Morgan Hill. This contract expires in September 2007. The Fire Department is composed of approximately 265 employees, 40 volunteers, 16 fire

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stations, six support facilities, and more than 100 vehicles. The majority of communities served by the Fire Department enjoy a Class 2 Insurance Services office, Inc. (ISO) rating on a scale of one through ten, with one being the highest and best.

There are presently two stations, the El Toro Station and the Dunne-Hill Station, within the boundaries of the City of Morgan Hill that respond to approximately 1,787 calls per year. In addition to full-time firefighters at each station, the Department staffs a full-time Battalion Chief Monday through Friday. The 5,000 square foot El Toro Fire Station is located at 18300 Old Monterey Road on the north side of town. Built in 1975, the station is staffed by three on-duty firefighters and is equipped with an engine, brush/patrol truck, battalion vehicle (command center), a reserve engine, and an aerial truck. The Dunne-Hill station is located at 2100 E. Dunne Avenue on the eastern side of town. The Dunne Hill Station was constructed in 1978 and is 4,200 square-feet. It is regularly staffed by three on-duty firefighters. Equipment at the station includes an engine and patrol truck. The community is also served by two engines and a bulldozer owned and operated by the California Department of Forestry and Fire Protection (CDF) located at the CDF Station at 15670 S. Monterey Road in the City of Morgan Hill, under a mutual aid agreement with the City of Morgan Hill.

Previous assessments by the Fire Department indicate that increased staffing and the construction of a third station may be necessary to address existing service problems and accommodate future community growth. The new station would be located next to the new County Courthouse soon to be built on Butterfield Boulevard. A precise construction date has yet to be determined for construction of the fire station. Action 17.8 of the *City of Morgan Hill General Plan* calls for the City to develop and adopt a Public Safety Master Plan including Fire, Police, and Emergency Medical Services Elements. This plan is still under development.

The standards of the Uniform Fire Code help to ensure that water fire flows are adequate, that roads are adequate to provide emergency access, and that clearances around structures are of adequate width. The fire code also requires measures such as fire sprinklers and emergency egress requirements to mitigate potentially hazardous situations. Incremental costs associated with new development are captured in part by development impact fees imposed on all new development by the City of Morgan Hill. These fees include funds for fire protection services.

SCHOOLS

Both public and private schools serve the City of Morgan Hill. The Morgan Hill Unified School District (MHUSD) includes the City of Morgan Hill, southern portions of the City of San José, and unincorporated areas including the community of San Martin. Numerous private schools also serve the project area including the Carden Academy, Country School, Montessori Learning for Living, St. Catherine's Catholic, and South Valley Christian.

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Gavilan Community College offers higher learning opportunities at their main campus near Gilroy and their satellite campus at the new Community and Cultural Center on Monterey Road.

The nearest education facilities to the project site are Nordstrom Elementary School located at 1425 East Dunne Avenue, and Live Oak High School at 1505 East Main Avenue, approximately 2.4 and 3.4 miles south of the project site, respectively.

Incremental costs associated with new development are captured in part by development impact fees imposed on all new development by the MHUSD. These fees are assessed on all new residential and commercial construction.

PARKS AND RECREATION

The City of Morgan Hill provides recreational opportunities through direct public investment in facilities such as the Community Park, Aquatic Center and soon to be built Indoor Recreation Center; and more indirect means such as providing incentives for the establishment of privately owned and maintained neighborhood parks through the City's Residential Development Control System competitions. Most of the larger open spaces and recreational trails are provided outside of city limits. County-owned parks in the region include Anderson Reservoir, Coyote River Parkway, Uvas Canyon County Park, Mount Madonna Park and Silvera Park. Henry Coe State Park is located 14 miles east of the city and provides approximately 87,000 acres of passive recreational opportunities.

3.11.2 REGULATORY SETTING

CITY OF MORGAN HILL CODES AND ORDINANCES

Provision of public services and construction and maintenance of infrastructure and utilities in the City of Morgan Hill is generally enabled and regulated by the City of Morgan Hill Municipal Code and *City of Morgan Hill General Plan*.

CITY OF MORGAN HILL GENERAL PLAN

The following goals and policies of the *City of Morgan Hill General Plan* are relevant in guiding consideration of this project:

Community Development

Goal 2 An orderly and efficient pattern of development.

Policy 2b Ensure that facility/service standards can be met for new development by the time of occupancy.

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Goal 16 An urban level of services and facilities.

Policy 16c Identify public facility and service needs, and coordinate their development to minimize costs and support achievement of community goals.

Action 16.1 Require all development that may result in a substantial impact on City infrastructure and/or services to be analyzed to determine the extent of that fiscal burden.

Action 16.4 Fully utilize existing strategies to achieve an urban level of public services throughout the city, including a) require that the timing and location of future urban development be based upon the availability of public services and facilities; b) require new development to pay all the incremental public service costs which it generates; and c) require developers to dedicate land and/or pay to offset the costs relating to the provision and expansion of public services and facilities.

Goal 17 Efficient police, fire and emergency medical response and services.

Policy 17a Ensure police and fire staffing and facilities as necessary to provide adequate public safety protection.

Policy 17b Promote police and fire security considerations in all structures by ensuring that crime and fire prevention concepts are considered in development and design.

3.11.3 IMPACTS AND MITIGATION MEASURES

STANDARDS OF SIGNIFICANCE

The following thresholds for measuring a project's environmental impacts are based on CEQA Guidelines and previous standards used by the City of Morgan Hill. For the purposes of this EIR, impacts are considered significant if the following could result from implementation of the proposed project:

- Result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other objectives for police protection;
- Result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, the construction of which could cause

significant environmental impacts, in order to maintain acceptable service ratios, response times, or other objectives for fire protection;

- Result in the student capacity of a school district to be exceeded, or result in the need for construction of new school facilities.
- Conflict with an established recreational land use in the area, inhibit the ability to provide recreational opportunities in the future, or create a shortage of park and open space facilities for city residents and workers.

METHODOLOGY

The analysis of potential public service impacts is based upon project plans, the *City of Morgan Hill General Plan* and *City of Morgan Hill General Plan EIR*, and phone conversations with Police and Fire Department Staff.

PROJECT IMPACTS AND MITIGATION MEASURES

Law Enforcement Services

Impact 3.11-1 The proposed project will not result in the need for new or physically altered governmental facilities, but will increase service demands for police patrol and incident response. This impact is considered a **potentially significant impact**.

The proposed project would be required to conform to the applicable provisions of the City's building security ordinance found in Chapter 15.40 of Morgan Hill Municipal Code. This ordinance mandates the incorporation of security features into building design and related site improvements to reduce crime. Implementation of this ordinance would be supplemented with Police Department review of development projects by staff trained in Crime Prevention Through Environmental Design (CPTED) strategies.

The proposed project would result in an increased demand for service due to the type of uses, late hours of operation, and proximity to U.S. Highway 101. Expected calls for service to the new land uses would originate from a wide variety of incidents including domestic violence, lost children, disturbances, automobile theft or theft of items inside of automobiles, shoplifting and fraud, traffic incidents including accidents and drunk driving, loitering and armed robbery. Additionally, the location of the proposed project adjacent to U.S. Highway 101 will attract crime due to the relatively easy and anonymous entry and escape for out of town criminals. According to the Chief of Police, such activities have been observed at similarly located shopping centers across the region (Personal communication with Bruce Cumming, Police Chief, City of Morgan Hill Police Department, on March 21, 2005). However, while an increase in demand upon police

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services can be expected, the level of increase is difficult to predict until a precise tenant mix is determined. Determinant factors include hours of operation (particularly after dark), type of merchandise, targeted consumer (e.g. teenagers vs. retirees), and whether the restaurants will serve alcohol and/or contain dedicated bars.

Given information to date, the Police Chief estimates the proposed project would generate an additional eight to twelve additional calls per day (approximately ten percent above existing city-wide demand) and the possible need to hire an additional patrol officer or officers to the police force. The increase in service demand would not require the provision of new or physically altered government facilities as the newly constructed Police Station could accommodate the increased demand. The project applicant would be subject to development impact fees for public safety facilities, equipment, and training collected by the City of Morgan Hill (Section 3.56.030 of the City of Morgan Hill Municipal Code). Payment of standard development impact fees would provide funds for the maintenance of acquisition of equipment such as patrol cars. However, given the existing officer-to-population ratio of approximately 0.85 officers for every 1,000 residents, the use of specific security features to reduce service calls is required to reduce law enforcement impacts to a **less than significant** level.

Mitigation Measure

MM 3.11-1 Subject to review and approval by the City of Morgan Hill Police Department, the project applicant shall install and maintain a video surveillance system throughout the proposed project and shall maintain on-site security personnel during all hours of operation.

The incorporation of a network of video cameras would improve security surveillance and the retention of on-site security personnel would prevent crime and respond to minor incidents such as lost vehicles and minor crimes. These measures would limit police response to major crimes against persons or property and reduce service demands to a **less than significant level**.

Fire Protection Services

Impact 3.11-2 The proposed project will increase the demand for fire protection. However, the proposed project would not result in the need for new or physically altered governmental facilities. This is considered a **less than significant** impact.

The Santa Clara County Fire Department would provide fire protection service to the project site. Emergency response to the project site is dependent upon adequate emergency access and water flows for fire protection services. The nearest station to the project site is the El Toro Station located at 18300 Old Monterey Road, approximately two

miles west of the project site. Additional service would be provided by the Hill Dunne Fire Station located at 2100 East Dunne Avenue, approximately 2.5 miles southeast of the project site. The proposed project includes water infrastructure improvements such as the extension of water mains and the installation of fire hydrants, with precise locations to be negotiated among the project applicant, Fire Department and City of Morgan Hill Public Works Department.

Potable water will be used for fire suppression. Fire flow for the proposed project has not yet been established, as is routine prior to issuance of building permits. However, the proposed project will have to meet all state and local codes for providing adequate fire flows, fire sprinklers, emergency vehicle access, and other fire prevention requirements. The project applicant would also be subject to development impact fees for public safety facilities, equipment, and training collected by the City of Morgan Hill (Section 3.56.030 of the City of Morgan Hill Municipal Code). Therefore, the proposed project would have a **less than significant impact** on fire protection services.

Schools

Impact 3.11-3 The proposed project will generate employment opportunities which may attract additional residents with school-age children to Morgan Hill. This is considered a **less than significant** impact.

The proposed project will not directly result in an increase in residents due to the exclusively commercial nature of the development. However, new jobs created as a result of the proposed project may attract individuals and families with school-age children to the City of Morgan Hill and result in an indirect impact on school facilities. Such migration will be restricted, however, by the growth management policies of the City of Morgan Hill that limits the number of new dwelling units through the Residential Development Control System in place through 2020. As such, the potential increase in children attending schools in the City of Morgan Hill as a result of the proposed project would not be significant enough to exceed the current capacity of the school district or generate the need for additional school facilities. The project applicant would also be subject to development impact fees collected by the MHUSD. Therefore, this impact is considered **less than significant**. No mitigation is required.

Parks and Recreation

Impact 3.11-4 The proposed project will not conflict with an established recreational land use in the area nor inhibit the future provision of recreational opportunities. While the proposed project will generate employment opportunities that may attract a limited number of new residents and with them incremental demand for recreational opportunities, this is considered a **less than significant** impact.

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The project site is currently used for residential and agricultural uses and its conversion to a commercial center would not conflict with any established recreational land uses or inhibit the ability to provide recreational opportunities in the future. The proposed project is consistent with the *City of Morgan Hill General Plan* and does not conflict with the *City of Morgan Hill Park and Recreation Master Plan*.

New jobs created as a result of the project may result in the migration of individuals and households to the City of Morgan Hill as residents or commuting workers. Such migration will be severely restricted, however, by the growth management policies of the City of Morgan Hill that limits the number of annual building permits for dwelling units through the Residential Development Control System, known locally as Measure "C." As such, the increase in population is expected to be minimal and should not result in additional demand for parks and recreation facilities. Therefore, the impact is considered **less than significant**. No mitigation is required.

CUMULATIVE IMPACTS AND MITIGATION MEASURES

Cumulative Impacts to Public Services

Impact 3.11-5 The proposed project, in addition to anticipated cumulative development in the project vicinity, may result in the need for increased public facilities for the provision of police and fire protection services, and to a lesser degree parks and educational facilities. These impacts are expected to be **less than significant**.

The cost of these new facilities would be covered in whole or in part by development impact fees assessed on all new construction, as specified and restricted in Chapters 3.44 and 3.56 of Morgan Hill Municipal Code. As a result, the public impacts associated with providing facilities for cumulative development would be considered **less than significant**. No mitigation is required.

REFERENCES/DOCUMENTATION

California Department of Forestry and Fire Protection. Web Site: <http://www.fire.ca.gov/>

Cumming, Bruce. City of Morgan Hill Police Department. *Phone Conversation*. March 21, 2005.

McLaughlin, Frank. City of Morgan Hill Police Department. *Correspondence*. February 22, 2005

Morgan Hill, City of. *City of Morgan Hill General Plan*. July 25, 2001 (Updated July 2004).

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Morgan Hill, City of. *City of Morgan Hill General Plan Draft Master Environmental Impact Report*. March 22, 2001.

Morgan Hill, City of. Web Site: <http://www.morgan-hill.ca.gov/>

Rucker, Ryan. Santa Clara County Fire Department. March 2005.

Santa Clara County Fire Department. Web Site: <http://www.sccfd.org/>

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